

# SENATE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-EIGHTH LEGISLATURE

THIRTY-SEVENTH LEGISLATIVE DAY  
TUESDAY, FEBRUARY 14, 2006

Senate Chamber

President Risch called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Burkett, absent and formally excused by the Chair; President Pro Tempore Geddes and Senators Cameron, Little, Pearce, and Stegner, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Jillian Marotz, Page.

The Senate advanced to the Third Order of Business.

## Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 13, 2006, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

## Petitions, Resolutions, and Memorials

Senator Stegner was recorded present at this order of business.

### SJR 107 BY JUDICIARY AND RULES COMMITTEE A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE VII OF THE CONSTITUTION OF THE STATE OF IDAHO, BY THE ADDITION OF A NEW SECTION 18, ARTICLE VII, OF THE CONSTITUTION OF THE STATE OF IDAHO, TO CREATE AN IDAHO MILLENNIUM PERMANENT ENDOWMENT FUND, TO PROVIDE THAT THE FUND SHALL CONSIST OF EIGHTY PERCENT OF THE MONEYS RECEIVED EACH YEAR BY THE STATE OF IDAHO ON AND AFTER JANUARY 1, 2007, PURSUANT TO THE MASTER

SETTLEMENT AGREEMENT ENTERED INTO BETWEEN TOBACCO PRODUCT MANUFACTURERS AND THE STATE OF IDAHO, AND ANY OTHER MONEYS THAT MAY BE APPROPRIATED OR OTHERWISE DIRECTED TO THE FUND BY THE LEGISLATURE, INCLUDING OTHER MONEYS OR ASSETS THAT THE FUND RECEIVES BY BEQUEST OR PRIVATE DONATION, TO PROVIDE THAT SUCH MONEYS SHALL REMAIN INVIOLEATE AND INTACT EXCEPT THAT EACH YEAR THE STATE TREASURER SHALL DISTRIBUTE FIVE PERCENT OF THE PERMANENT ENDOWMENT FUND'S AVERAGE MONTHLY FAIR MARKET VALUE FOR THE FIRST TWELVE MONTHS OF THE PRECEDING TWENTY-FOUR MONTHS TO THE IDAHO MILLENNIUM INCOME FUND, TO PROVIDE THAT SUCH DISTRIBUTION SHALL NOT EXCEED THE PERMANENT ENDOWMENT FUND'S FAIR MARKET VALUE ON THE FIRST BUSINESS DAY OF JULY, TO CREATE AN IDAHO MILLENNIUM INCOME FUND SUBJECT TO APPROPRIATION AS PROVIDED BY LAW, TO PROVIDE THAT THE INCOME FUND SHALL CONSIST OF THE DISTRIBUTION FROM THE IDAHO MILLENNIUM PERMANENT ENDOWMENT FUND AND OTHER MONEYS THAT MAY BE APPROPRIATED OR OTHERWISE DIRECTED TO THE FUND AS PROVIDED BY LAW, TO PROVIDE THAT THE REMAINING TWENTY PERCENT OF THE MONEYS RECEIVED BY THE STATE OF IDAHO ON AND AFTER JANUARY 1, 2007, PURSUANT TO THE MASTER SETTLEMENT AGREEMENT ENTERED INTO BETWEEN TOBACCO PRODUCT MANUFACTURERS AND THE STATE OF IDAHO AND THE EARNINGS THEREON, SHALL BE DEPOSITED TO THE IDAHO MILLENNIUM FUND, TO PROVIDE THAT THE MILLENNIUM FUND MAY CONSIST OF ANY OTHER MONEYS THAT MAY BE APPROPRIATED OR OTHERWISE DIRECTED TO THE FUND BY THE LEGISLATURE, INCLUDING OTHER MONEYS OR ASSETS THAT THE FUND RECEIVES BY BEQUEST OR PRIVATE DONATION, TO PROVIDE THAT MONEYS IN THE MILLENNIUM FUND SHALL BE ALLOWED TO ACCUMULATE, BUT SHALL NOT EXCEED A MAXIMUM LIMIT AS DETERMINED BY LAW, TO PROVIDE THAT ANY AMOUNTS SO ACCUMULATING IN THE IDAHO MILLENNIUM FUND WHICH EXCEED THE MAXIMUM LIMIT, SHALL BE TRANSFERRED, NO LESS THAN ONCE A YEAR, TO THE IDAHO MILLENNIUM PERMANENT ENDOWMENT FUND AND TO PROVIDE THAT SUCH MONEYS AND EARNINGS SO TRANSFERRED TO THE PERMANENT ENDOWMENT FUND SHALL ALSO REMAIN INVIOLEATE AND INTACT; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**SJR 107** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

## Reports of Standing Committees

President Pro Tempore Geddes and Senator Cameron were recorded present at this order of business.

February 14, 2006

The JUDICIARY AND RULES Committee reports that **S 1385, S 1386, S 1387, S 1388, S 1389, S 1390, S 1391, S 1392, S 1393, S 1394, S 1395, SCR 121, SCR 122, and SR 107** have been correctly printed.

DARRINGTON, Chairman

**S 1385, S 1386, S 1387, S 1391, S 1392, and S 1393** were referred to the Resources and Environment Committee.

**S 1388** was referred to the State Affairs Committee.

**S 1389 and S 1390** were referred to the Health and Welfare Committee.

**S 1394 and S 1395** were referred to the Education Committee.

On request by Senator Schroeder, granted by unanimous consent, **SCR 122** was referred to the Resources and Environment Committee.

**SCR 121 and SR 107** were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 13, 2006

The JUDICIARY AND RULES Committee reports out **S 1354** with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

DARRINGTON, Chairman

There being no objection, **S 1354** was referred to the Fourteenth Order of Business, General Calendar.

February 14, 2006

The AGRICULTURAL AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Richard Rush to the State Soil and Conservation Commission, term to expire July 1, 2009.

WILLIAMS, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

**Messages from the Governor**

February 13, 2006

The Honorable James E. Risch  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

**S 1305, S 1306, S 1307**

Sincerely,  
/s/ Dirk Kempthorne  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

**Messages from the House**

Senators Little and Pearce were recorded present at this order of business.

February 13, 2006

Mr. President:

I return herewith Enrolled **S 1329** and **S 1330** which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1329** and **S 1330** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

**Motions and Resolutions**

The President announced the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Sherry Krulitz was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Darrington, seconded by Senator Kelly, the Gubernatorial appointment of Sherry Krulitz as a member of the Idaho Judicial Council was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1396**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO ANIMAL CRUELTY; AMENDING SECTION 25-3501, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO CLARIFY THE AUTHORITY OF CERTAIN AGENCIES OR ENTITIES; AMENDING CHAPTER 35, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3501A, IDAHO CODE, TO PROVIDE FOR ENFORCEMENT BY LAW ENFORCEMENT AGENCIES AND ANIMAL CARE AND CONTROL AGENCIES AND TO PROVIDE ENFORCEMENT RESTRICTIONS; AMENDING SECTION 25-3502, IDAHO CODE, TO DEFINE ADDITIONAL TERMS; AMENDING SECTION 25-3504, IDAHO CODE, TO PROVIDE FOR THE POSSESSION AND CARE OF CRUELY TREATED ANIMALS BY LAW ENFORCEMENT OFFICERS AND ANIMAL CARE AND CONTROL OFFICERS; AMENDING SECTION 25-3505, IDAHO CODE, TO REVISE DUTIES FOR OFFICERS RELATING TO ANIMALS CARRIED IN A CRUEL MANNER AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 25-3511, IDAHO CODE, TO PROVIDE THAT LAW ENFORCEMENT OFFICERS AND ANIMAL CARE AND CONTROL OFFICERS SHALL HAVE SPECIFIED DUTIES RELATING TO ABANDONED AND NEGLECTED ANIMALS AND THE HUMANE DESTRUCTION OF ABANDONED ANIMALS, TO PROVIDE THAT LAW ENFORCEMENT OFFICERS AND ANIMAL CARE AND CONTROL OFFICERS ARE AUTHORIZED TO TAKE CERTAIN ACTIONS RELATING TO OTHER CRUELY TREATED ANIMALS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 25-3520A, IDAHO CODE, TO PROVIDE FOR THE TERMINATION OF VIOLATORS' RIGHTS TO ANIMALS, TO PROVIDE FOR THE AWARD OF SUCH ANIMALS TO CERTAIN ORGANIZATIONS OR AGENCIES AND TO PROVIDE FOR THE AUTHORITY OF RECIPIENTS OF SUCH ANIMALS; AND AMENDING CHAPTER 35, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3520B, IDAHO CODE, TO PROVIDE FOR THE SEIZURE OF CERTAIN ANIMALS, TO PROVIDE THAT THE OWNERS OR KEEPERS OF SEIZED ANIMALS SHALL BE LIABLE FOR REASONABLE COSTS, TO PROVIDE A FORFEITURE PROCESS, TO PROVIDE FOR SECURITY DEPOSITS AND BONDS, TO PROVIDE FOR THE DISPOSITION OF SEIZED ANIMALS, TO PROVIDE FOR LIABILITY OF CERTAIN UNPAID COSTS, TO PROVIDE THAT CERTAIN ANIMALS MAY BE EUTHANIZED AND TO PROVIDE PROCEDURAL GUIDELINES.

**S 1397**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING SUBSTANCES; AMENDING SECTION 18-8002, IDAHO CODE, TO INCREASE PENALTIES AND TO INCREASE THE PERIOD OF TIME APPLICABLE TO REPEAT REFUSALS TO EVIDENTIARY TESTING;

AMENDING SECTION 18-8002A, IDAHO CODE, TO REVISE INFORMATION TO BE GIVEN TO PERSONS SUBJECT TO EVIDENTIARY TESTING; AMENDING SECTION 18-8005, IDAHO CODE, TO PROVIDE CLARIFYING LANGUAGE, TO INCREASE THE PERIOD OF TIME APPLICABLE TO REPEAT VIOLATIONS AND TO INCREASE PENALTIES; AND AMENDING SECTION 18-8006, IDAHO CODE, TO INCREASE A PENALTY.

**S 1398**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO THE AUTHORITY TO ESTABLISH ROADBLOCKS; AMENDING SECTION 19-621, IDAHO CODE, TO AUTHORIZE LAW ENFORCEMENT OFFICERS TO ESTABLISH ROADBLOCKS TO DETECT DRIVERS THAT MAY BE UNDER THE INFLUENCE OF ALCOHOL, DRUGS OR ANY OTHER INTOXICATING SUBSTANCES, IN VIOLATION OF SECTION 18-8004, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

**S 1399**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO HOMESTEADS; AMENDING SECTION 55-1003, IDAHO CODE, TO INCREASE THE MAXIMUM PERMITTED HOMESTEAD EXEMPTION AMOUNT; AND DECLARING AN EMERGENCY.

**S 1400**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO THE MAGISTRATE DIVISION OF THE DISTRICT COURT AND TO THE SMALL CLAIMS DEPARTMENT OF THE MAGISTRATE DIVISION; AMENDING SECTION 1-2208, IDAHO CODE, TO INCREASE THE ALLOWABLE CLAIM LIMIT TO FIVE THOUSAND DOLLARS FOR SPECIFIED CIVIL PROCEEDINGS ASSIGNED TO MAGISTRATES; AMENDING SECTION 1-2210, IDAHO CODE, TO INCREASE THE ALLOWABLE CLAIM LIMIT TO FIVE THOUSAND DOLLARS FOR CERTAIN CIVIL ACTIONS ASSIGNED TO NON-ATTORNEY MAGISTRATES; AMENDING SECTION 1-2301, IDAHO CODE, TO INCREASE THE ALLOWABLE CLAIM TO FIVE THOUSAND DOLLARS IN CASES UNDER JURISDICTION OF THE SMALL CLAIMS DEPARTMENT; AMENDING SECTION 1-2310, IDAHO CODE, TO PROVIDE FOR COLLECTION OF ATTORNEY'S FEES AND COSTS BY A PREVAILING PLAINTIFF AFTER A TIME CERTAIN; AMENDING SECTION 1-2311, IDAHO CODE, TO PROVIDE THAT THE ATTORNEY'S FEE AWARDED TO THE PREVAILING PARTY SHALL BE A REASONABLE AMOUNT AS DETERMINED BY THE COURT; AND AMENDING SECTION 39-6316, IDAHO CODE, TO INCREASE THE ALLOWABLE LIMIT REFERRED TO IN SMALL CLAIMS COURT TO FIVE THOUSAND DOLLARS.

**S 1401**

**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO EMERGENCY POWERS; AMENDING SECTION 46-1008, IDAHO CODE, TO REMOVE A

REFERENCE TO FIREARMS AND TO PROVIDE THAT NO RESTRICTIONS SHALL BE IMPOSED ON LAWFUL USES OF FIREARMS OR AMMUNITION DURING A DISASTER EMERGENCY.

**S 1402**  
**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO CONCEALED WEAPONS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3301A, IDAHO CODE, TO PROVIDE A PENALTY FOR THE UNPERMITTED CARRYING OF A CONCEALED DEADLY WEAPON IN CERTAIN CIRCUMSTANCES; AMENDING SECTION 18-3302, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE ISSUANCE OF A LICENSE TO CARRY CONCEALED WEAPONS AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 18-3302H, IDAHO CODE, TO REVISE A CODE REFERENCE.

**S 1403**  
**BY JUDICIARY AND RULES COMMITTEE**  
AN ACT

RELATING TO ANATOMICAL GIFTS AND MINORS; AMENDING SECTION 39-3403, IDAHO CODE, TO ALLOW PERSONS SIXTEEN YEARS OF AGE OR OLDER BUT LESS THAN EIGHTEEN YEARS OF AGE TO MAKE ANATOMICAL GIFTS WITH PARENTAL OR ADULT GUARDIAN CONSENT AND TO PROVIDE PROCEDURES; AMENDING SECTION 39-3404, IDAHO CODE, TO ALLOW A PARENT OR ADULT GUARDIAN OF A PERSON SIXTEEN YEARS OF AGE OR OLDER BUT LESS THAN EIGHTEEN YEARS OF AGE TO MAKE AN UNREVOKED REFUSAL TO MAKE THE ANATOMICAL GIFT; AMENDING SECTION 39-3413, IDAHO CODE, TO PROVIDE THAT A DOCUMENT EXECUTED BY A PERSON SIXTEEN YEARS OF AGE OR OLDER BUT LESS THAN EIGHTEEN YEARS OF AGE FOR PURPOSES OF MAKING AN ANATOMICAL GIFT SHALL REMAIN IN EFFECT WHEN THE PERSON ATTAINS EIGHTEEN YEARS OF AGE UNLESS THE PERSON MODIFIES IT; AMENDING SECTION 49-315, IDAHO CODE, TO PROVIDE THAT PERSONS SIXTEEN YEARS OF AGE OR OLDER BUT LESS THAN EIGHTEEN YEARS OF AGE WHO DESIRE TO MAKE ANATOMICAL GIFTS MAY HAVE THIS FACT PLACED ON THEIR DRIVER'S LICENSE; AND AMENDING SECTION 49-2444, IDAHO CODE, TO PROVIDE THAT PERSONS SIXTEEN YEARS OF AGE OR OLDER BUT LESS THAN EIGHTEEN YEARS OF AGE WHO DESIRE TO MAKE ANATOMICAL GIFTS MAY HAVE THIS FACT PLACED ON THEIR IDENTIFICATION CARD.

**S 1396, S 1397, S 1398, S 1399, S 1400, S 1401, S 1402, and S 1403** were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

**S 1336** and **S 1312**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

**S 1355** and **S 1365**, by State Affairs Committee, were read the second time at length and filed for third reading.

**H 434, H 435, and HJR 2**, by State Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

**Third Reading of Bills**

**S 1247** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brandt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Call of the Senate was requested by Senators Darrington, Davis, and Stennett.

Whereupon the President ordered the doorkeepers to lock the doors permitting no Senator to leave the Senate Chamber. The Sergeant at Arms was instructed to find and present any absent members to the Senate.

Roll call showed all members present except Senator Burkett, absent and formally excused by the Chair.

On request by Senator Darrington, granted by unanimous consent, the Call was lifted.

The question being, "Shall **S 1247** pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Burkett. Total - 1.

Total - 35.

Whereupon the President declared **S 1247** passed, title was approved, and the bill ordered transmitted to the House.

**S 1331** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Burkett. Total - 1.

Total - 35.

Whereupon the President declared **S 1331** passed, title was approved, and the bill ordered transmitted to the House.

Senator Burkett was recorded present at this order of business.

**S 1327** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Cameron, Coiner, Compton, Darrington, Fulcher, Gannon, Geddes, Goedde, Hill, Little, Lodge, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Sweet. Total - 23.

NAYS--Burtenshaw, Corder, Davis, Jorgenson, Kelly, Keough, Langhorst, Malepeai, Marley, Stennett, Werk, Williams. Total - 12.

Total - 35.

Whereupon the President declared **S 1327** passed, title was approved, and the bill ordered transmitted to the House.

The President called President Pro Tempore Geddes to the Chair.

**S 1259** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Williams arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President Pro Tempore declared **S 1259** passed, title was approved, and the bill ordered transmitted to the House.

**S 1338** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--Stegner. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1338** passed, title was approved, and the bill ordered transmitted to the House.

**S 1339** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President Pro Tempore declared **S 1339** passed, title was approved, and the bill ordered transmitted to the House.

**S 1341** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Andreason arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President Pro Tempore declared **S 1341** passed, title was approved, and the bill ordered transmitted to the House.

**S 1342** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President Pro Tempore declared **S 1342** passed, title was approved, and the bill ordered transmitted to the House.

**S 1343** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Broadsword arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President Pro Tempore declared **S 1343** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Stegner, granted by unanimous consent, **S 1333** retained its place on the Third Reading Calendar for one legislative day.

The President returned to the Chair.

**S 1351** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President declared **S 1351** passed, title was approved, and the bill ordered transmitted to the House.

**S 1318** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Kelly arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President declared **S 1318** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, **HJR 2** was placed at the head of the Third Reading Calendar, followed by all Senate bills, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:10 p.m. until the hour of 10:30 a.m., Wednesday, February 15, 2006.

JAMES E. RISCH, President

Attest: JEANNINE WOOD, Secretary